

## NOTICE OF FILING AND REQUEST FOR COMMENT

D.T.E. 02-50

Request of Massachusetts Electric Company and Nantucket Electric Company for Approval of Contracts to Transfer Ten Percent of the Wholesale Standard Offer Service Supply Obligation from USGen New England to Constellation Power Source, Inc., pursuant to G.L. c. 164, §94A.

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On August 30, 2002, Massachusetts Electric Company and Nantucket Electric Company (together, "MECo" or "Company") filed with the Department of Telecommunications and Energy ("Department") a request for approval of (1) a contract between the Company and Constellation Power Source, Inc. ("CPS") for CPS to provide ten percent of MECo's requirements for wholesale standard offer service, and (2) the implementation of a December 23, 1999 amendment to the agreement between the Company and USGen New England ("USGenNE") that will permanently reduce by ten percent USGenNE's obligation to provide the Company's requirements for wholesale standard offer service. According to the Company, the proposed contract with CPS provides the same pricing terms as the existing contract with USGenNE that was approved by the Department in Massachusetts Electric Company, D.T.E. 97-94 (1998), although certain terms and conditions are different. As part of its filing, the Company has submitted a motion for a protective order pursuant to G.L. c. 25, § 5D. The Company seeks to protect information related to certain security provisions in the CPS contract. The Company's filing has been docketed as D.T.E. 02-50.

The Department seeks comments on the Company's filing, including the motion for a protective order. Any person who desires to comment may submit written comments to the Department not later than **12:00 p.m. on Wednesday, September 18, 2002**. An original and three (3) copies of all written comments must be filed with Mary L. Cottrell, Secretary, Department of Telecommunications and Energy, One South Station - 2<sup>nd</sup> Floor, Boston, Massachusetts 02110 not later than the date and time noted above. All written comments also should be submitted to the Department in electronic format using one of the following methods: (1) by e-mail attachment to [dte.efiling@state.ma.us](mailto:dte.efiling@state.ma.us) or (2) on a 3.5" disk,

IBM-compatible format. The text of the e-mail or the disk label must specify: (1) the docket number of the proceeding (D.T.E. 02-50), (2) name of the person or company submitting the filing, and (3) a brief descriptive title of the document. The electronic filing should also include the name, title and phone number of a person to contact in the event of questions about the filing. Text responses should be written in either Word Perfect (naming the document with a “.wpd” suffix), in Microsoft Word (naming the document with a “.doc” suffix), or as an Adobe PDF file (naming the document with a “.pdf” suffix). Data or spreadsheet responses should be compatible with Microsoft Excel. All written pleadings or comments submitted in electronic format will be posted on the Department’s Website, <http://www.mass.gov/dpu>.

The Company’s filing may be inspected at the Department’s offices during normal business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m.). Any person desiring further information regarding the Company's filing should contact Thomas Robinson, Esq., General Counsel, Massachusetts Electric Company, (508) 389-2877.

ORDER OF NOTICE

D.T.E. 02-50

Request of Massachusetts Electric Company and Nantucket Electric Company for Approval of Contracts to Transfer Ten Percent of the Whole Standard Offer Service Supply Obligation from USGen New England to Constellation Power Source, Inc., pursuant to G.L. c. 164, § 94A.

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Massachusetts Electric Company and Nantucket Electric Company (together “MECo” or “Company”) shall, no later than the close of business on Friday September 13, 2002, provide a copy of this notice to all participants in Massachusetts Electric Company, D.T.E. 97-94 and Massachusetts Electric Company, D.P.U. 96-25. The Company is required to make return of service.

By Order of the Department,

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Mary L. Cottrell, Secretary